

United States Senate

June 23, 2020

The Honorable Peter T. Gaynor
Administrator
Federal Emergency Management Agency
500 C Street SW
Washington, DC 20472

Rear Admiral John Polowczyk
Supply Chain Stabilization Task Force
Department of Defense
1400 Defense Pentagon
Washington, DC 20301

Admiral Brett P. Giroir, M.D.
Assistant Secretary for Health
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Administrator Gaynor, Rear Admiral Polowczyk, and Admiral Giroir:

In light of the President's comments this past weekend on testing, I am writing to follow up on your testimony at the June 9, 2020 hearing in the Senate Homeland Security and Governmental Affairs Committee on the Federal government's COVID-19 procurement and distribution strategy and response.

At the June 9th hearing, each of you testified under oath that the White House never directed, suggested, or implied that you direct or redirect resources to certain states or localities for political reasons. Rear Admiral Polowczyk testified that all decisions on where to send resources were based on the priorities determined within the prioritization cell at the Federal Emergency Management Agency (FEMA) with input from the Centers for Disease Control and Prevention (CDC) and Dr. Birx. Administrator Gaynor and Admiral Giroir similarly responded that the White House was not involved.

In the federal response to COVID-19, directing or redirecting resources covers everything from personal protective equipment (PPE) and funding to testing capacity and infrastructure and federal personnel. It is critical, especially during a national crisis that decisions impacting the lives and livelihoods of all Americans be devoid of political interference, and even perceived political interference.

As it relates specifically to testing, the administration has failed to disburse nearly \$14 billion in funding approved by Congress for testing and contact tracing. This lack of action constitutes withholding critical recourses for communities across the nation. The absence of urgency in disbursing those funds is even more concerning given the President has both implied and explicitly stated publically that the nation's volume of tests makes the U.S. look bad due to the number of cases. Most recently, at the June 20th rally in Tulsa, Oklahoma, President Trump stated:

“You know, testing is a double-edged sword. We’ve tested now 25 million people. It’s probably 20 million people more than anybody else. Germany’s done a lot. South Korea’s done a lot. Here’s the bad part, when you do testing to that extent, you’re going to find more people. You’re going to find more cases. So I said to my people, ‘Slow the testing down, please.’”

In response to the President's remarks, Representative Andy Kim tweeted a clip of the President's speech, tweeting:

“When I requested FEMA to stand up a Coronavirus test site in South Jersey they told me the White House said no. Now we know why.”

The President stated that he directed a decrease in testing because more testing would result in more confirmed cases, implying that the reality of the COVID-19 pandemic harms him politically. While White House officials have since claimed the President was joking, the example provided by Rep. Kim indicates White House involvement in rejecting additional testing sites. Furthermore, when pressed on Monday, June 22nd, whether he directed a slowdown of testing, the President did not directly answer the question.

This is not the first time the President has made public remarks disparaging testing, even as Congress has pushed the administration to develop a national testing strategy that follows the guidance of public health experts. While the President is willing to make light of the federal response to COVID-19 and its reflection on his administration, what is clear is that American lives are at stake.

So I am asking you again, as leaders of the federal response to the COVID-19 pandemic, has the President or anyone at the White House directed, suggested, or implied that you direct or redirect resources for political reasons, including by withholding funding or limiting the nation's testing? And to address any ambiguity, has the President, or anyone at the White House directed, suggested, or implied that you take any actions related to COVID-19 in an effort to protect the President or his administration?

I appreciate your prompt attention to these critical questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kamala D. Harris", with a stylized flourish at the end.

Kamala D. Harris
United States Senator